

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

YISEL DEAN, Independent Administratrix of the
Estate of STEVEN DEAN, deceased, and on behalf
of all statutory beneficiaries,

Plaintiff,

v.

RAYTHEON COMPANY, a Delaware
Corporation, RAYTHEON AIRCRAFT
COMPANY, a Kansas Corporation, RAYTHEON
CREDIT CORPORATION, a Kansas Corporation,
COLGAN AIR INC., a Delaware Corporation d/b/a
US AIR EXPRESS,

Defendants.

DOCKET NO: 05cv10155 PBS

**MOTION TO POSTPONE REFERRAL TO MEDIATION PROGRAM
OF DEFENDANTS, RAYTHEON COMPANY, RAYTHEON AIRCRAFT
HOLDINGS, INC., RAYTHEON AIRCRAFT COMPANY, AND
RAYTHEON AIRCRAFT CREDIT CORPORATION**

NOW COMES the defendants, Raytheon Company, Raytheon Aircraft Holdings, Inc., Raytheon Aircraft Company, and Raytheon Aircraft Credit Corporation, hereinafter collectively referred as Raytheon defendants, and respectfully move this Honorable Court, pursuant to Rule 16 of the Federal Rules of Civil Procedure, to postpone the referral to mediation, now scheduled for the first week of September 2005. The Raytheon defendants state as grounds for this motion that mediation at this time is premature and no meaningful discussions regarding settlement could take place without substantial discovery. The Raytheon defendants answer was filed on July 21, 2005 and the Court's order with respect to scheduling was issued after a hearing on Colgan's Motion to Dismiss. Lead counsel for the Raytheon defendants was not present and had

counsel been present at the time, persuasive arguments would have been presented to the Court in favor of discovery as opposed to an immediate referral for mediation.

WHEREFORE, the Raytheon defendants respectfully request this Honorable Court to postpone the mediation, now scheduled for the first week of September 2005.

Respectfully submitted,
The Defendants,
RAYTHEON COMPANY, RAYTHEON
AIRCRAFT HOLDINGS, INC., RAYTHEON
AIRCRAFT COMPANY, AND RAYTHEON
AIRCRAFT CREDIT CORPORATION
By their attorneys,

/s/ Peter C. Knight

Peter C. Knight, BBO #276000
Gary W. Harvey, BBO #547993
Tory A. Weigand, BBO #548553
MORRISON MAHONEY, LLP
250 Summer Street
Boston, MA 02210-1181
617-439-7500

And

MARTIN, PRINGLE, OLIVER,
WALLACE & BAUER, L.L.P.

/s/ Michael G. Jones

Michael G. Jones, KS Bar 14511
100 North Broadway, Suite 500
Wichita, KS 67202
(316) 265-9311
(316) 265-2955 (facsimile)
mgjones@martinpringle.com
Pro Hac Vice Admission Pending

Certification of Compliance with Local Rule 7.1(A)(2)

I, Peter C. Knight, counsel for Raytheon Company, Raytheon Aircraft Holdings, Inc., Raytheon Aircraft Company and Raytheon Aircraft Credit Corporation, have conferred with counsel for the Plaintiff in an effort to narrow or resolve the issue that is the subject of this Motion.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 17th day of August, 2005, a true and correct copy of above and foregoing **MOTION TO POSTPONE REFERRAL TO MEDICATION PROGRAM OF DEFENDANTS, RAYTHEON COMPANY, RAYTHEON AIRCRAFT HOLDINGS, INC., RAYTHEON AIRCRAFT COMPANY AND RAYTHEON AIRCRAFT CREDIT CORPORATION** was sent in the United States mail, postage prepaid and properly addressed to:

For Plaintiff, Yisel Dean

Mary Schiavo, Esquire
Ronald L. Motley, Esquire
Jodi Flowers, Esquire
Robert Haefele, Esquire
Motley Rice LLC
28 Bridgeside Boulevard
P.O. Box 1792
Mount Pleasant, SC 29465

Robert McConnell, Esquire
Jack McConnell, Jr., Esquire
Dan Migliori, Esquire
Motley Rice LLC
321 South Main Street
P.O. Box 6067
Providence, RI 02903

For Defendant Colgan Air

Thomas B. Almy, Esquire
Mark A. Dombroff, Esquire
Andre M. Gregorian, Esquire
Dombroff & Gilmore, P.C.
1676 International Drive
McLean, VA 22102

Anthony L. Deprosopo, Jr., Esquire
Christopher H. Kenney, Esquire
Sherin & Lodgen LLP
101 Federal Street
Boston, MA 02110-2104
(service made via electronic filing)

/s/ Peter C. Knight
